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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/743,153      | 07/09/2001  | Anne Mereau          | 28944/37076         | 6079             |

8968 7590 04/21/2006

GARDNER CARTON & DOUGLAS LLP  
ATTN: PATENT DOCKET DEPT.  
191 N. WACKER DRIVE, SUITE 3700  
CHICAGO, IL 60606

EXAMINER

TRUONG, LAN DAI T

ART UNIT PAPER NUMBER

2152

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 09/743,153             | MEREAU ET AL.       |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | lan dai thi truong     | 2143                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is response to communications: application, filed 01/05/2001; amendment filed 03/27/2006. Claims 1-5 are pending.

### **Response to Arguments**

2. Applicant's argument filed 03/27/2006 has been fully considered. Applicant's arguments are persuasive. The office action is withdrawn and the prosecution is reopened.

### **Claim rejections-35 USC § 112<sup>2nd</sup>**

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 5 recite the limitation "said information system," "said transport network" and "the information system". Those are insufficient antecedent basis for those limitations in the claim.

Regarding claims 1 and 5, the word "their" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

### **Claim rejections-35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

**1) Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Zicker (U.S. 5,995,833), “Zicker”, herein after.**

**Regarding to claims 1 and 5:**

Zicker discloses a system, which can be implemented in a computer hardware or software code for temporary connection to a fixed information system of a public network or a private company network, provided with physical access points, said mobile network system comprising:

An on-board network system: (Zicker discloses “air-to-ground communication system” which is equivalent to “on-board network system”: figure 1, item 32; figure 2, item 48; column 4, lines 49-67; column 5, lines 1-67)

Radio transmission/reception (Zicker: discloses Figure 2) means enabling said on-board network system to establish a communication with a radio channel access network, said radio channel access network being in turn inter-connected with a public or private fixed transport network (Zicker discloses PSTN which is equivalent to “a public or private fixed transport network”: figure 1, item 28), said transport network enabling said on-board network system to be connected to at least one physical access point of said information system with information messages being exchange between said on-board network system and said fixed information system (Zicker discloses method for establishing communication connection between the air-to-

Art Unit: 2143

ground communication system and the PSTN: figure1, figure 2; column 3, lines 1-8; column 4, lines 1-67; column 5, lines 1-29) ;

Interfacing means between said on-board network system and said radio transmission/reception means: (Zicker discloses communication between “a controller 44” which is shared functionality with “on-board network system” and “base station” in order to transmit and receive signals backward and forward between mobiles and ground stations; Although Zicker does not explicitly disclose interfacing which supports communication between base stations and PSTN; however this feature is deemed to be inherent to the Zicker’s system in order to incorporate communication process, see (Zicker: column 5, lines 30-54; column 4, lines 45-67).

Wherein said on-board network system comprises a router that performs steps comprising:

Managing a local network to which are connected at least one server and at least one work station fitted with their peripheral elements: (Zicker mentions on “switch” which is equivalent to “router” and “controller” which is shared functionality with “server” and “work station” which is shared functionality with “peripheral”: column 5, lines 1-6)

And further managing call processing functions and data transmission to the information system, enabling information messages to be created, sent, received and read, during displacement of said on-board network system, from one physical access point to another one: (Zicker discloses a control of telecommunication service in aircraft, therefrom subscribers in aircraft can activate calls to PSTN: figure1, figure 2; column 3, lines 1-8; column 4, lines 1-67; column 5, lines 1-29)

**Regarding to claim 2:**

Zicker discloses a system as discuss in claim 1, which further includes wherein said radio transmission/reception means are a radio module enabling said mobile network system to be connected to a radio channel access network via a radio communication network operating on cordless technology and said interfacing means for radio transmission/reception are provided with a data transmission port: (Zicker discloses “CMAC” which is equivalent to “transmission port”: column 8, lines 19-41; column 3, lines 1-8; column 4, lines 1-67; column 5, lines 1-29)

**Regarding to claim 3:**

Zicker discloses a system as discuss in claim 1, which further includes wherein said radio transmission/reception means are a cellular mobile terminal, enabling said mobile network system to be connected to a radio channel access network constituted by a cellular mobile radio communication system, and said interfacing means between the on-board network and the radio transmission/reception means are constituted by a cellular modem connected to said router: column 8, lines 19-41; column 3, lines 1-8; column 4, lines 1-67; column 5, lines 1-29)

**Regarding to claim 4:**

Zicker discloses a system as discuss in claim 1, which further includes wherein said radio transmission/reception means are a mobile satellite terminal enabling said on-board network system to be connected to a radio channel access network constituted by a link including at least one satellite and a serial output port forming said interfacing means with the on-board network system: column 8, lines 19-41; column 3, lines 1-8; column 4, lines 1-67; column 5, lines 1-29)

**Conclusion**

Art Unit: 2143

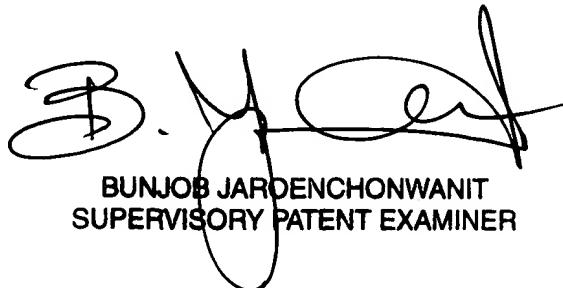
Any inquiry concerning this communication or earlier communications from the examiner should be directed to lan dai thi truong whose telephone number is 571-272-7959. The examiner can normally be reached on monday- friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jaroenchonwanit Bunjob can be reached on (571)-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

~~Lan Dai Thi Truong  
Examiner  
Art Unit 2143~~

Ldt  
04/13/2006

  
BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER